
TITLE 71 INDIANA HORSE RACING COMMISSION

Emergency Rule
LSA Document #13-5(E)

DIGEST

Amends [71 IAC 2-9-1](#) regarding race dates and permits. Effective January 8, 2013.

[71 IAC 2-9-1](#)

SECTION 1. [71 IAC 2-9-1](#) IS AMENDED TO READ AS FOLLOWS:

[71 IAC 2-9-1](#) Allocation of race dates and permits

Authority: [IC 4-31-3-9](#)

Affected: [IC 4-31-5](#)

Sec. 1. (a) The commission shall allocate race dates and permits to each association in accordance with the Act and after consideration of the factors in [71 IAC 11-1-7](#). An association shall apply to the commission not later than November 1 of each year for race dates to be conducted in the next year. The application must contain the information required by statute and commission licensing procedures. After the request is filed, the commission may require the association to submit additional information.

(b) In the event the commission approves (with or without conditions) the exclusive racing of standardbreds under a recognized meeting permit and the exclusive racing of horses mounted by jockeys and run on a course without jumps or obstacles under a separate recognized meeting permit, the following shall apply:

- (1) one permit shall provide at least one hundred sixty (160) live racing days in a calendar year at the racetrack designated in the permit for standardbreds; and**
- (2) the other permit shall provide at least one hundred twenty (120) live racing days in a calendar year at the racetrack designated in the permit for horses that are mounted by jockeys and run on a course without jumps or obstacles.**

~~(b)~~ **(c)** The burden of proof is on the association to demonstrate that the assignment and allocation of the race dates will be in the public interest and will achieve the purposes of the Act.

~~(c)~~ **(d)** The association shall be obligated to conduct pari-mutuel racing, except in the case of emergencies, on each race date allocated. Any change in race dates must be approved by the commission. In the case of emergencies, the judges, stewards, or the executive director may authorize cancellation of all or a portion of any race day.

~~(d)~~ **(e)** Racing dates shall be issued by the commission no later than December 31 of each year.

(Indiana Horse Racing Commission; [71 IAC 2-9-1](#); emergency rule filed Feb 10, 1994, 9:20 a.m.: 17 IR 1125; emergency rule filed Jan 27, 1995, 3:30 p.m.: 18 IR 1496; emergency rule filed Jun 15, 1995, 5:00 p.m.: 18 IR 2825, eff Jul 1, 1995; emergency rule filed Jun 8, 1999, 9:30 a.m.: 22 IR 3121, eff May 26, 1999 [[IC 4-22-2-37.1](#) establishes the effectiveness of an emergency rule upon filing with the secretary of state. LSA Document #99-107(E) was filed with the secretary of state June 8, 1999.]; emergency rule filed Jun 8, 1999, 9:31 a.m.: 22 IR 3124, eff May 26, 1999 [[IC 4-22-2-37.1](#) establishes the effectiveness of an emergency rule upon filing with the secretary of state. LSA Document #99-108(E) was filed with the secretary of state June 8, 1999.]; readopted filed Oct 30, 2001, 11:50 a.m.: 25 IR 899; readopted filed Mar 23, 2007, 11:31 a.m.: [20070404-IR-071070030RFA](#); emergency rule filed Sep 10, 2012, 2:01 p.m.: [20120912-IR-071120525ERA](#); emergency rule filed Jan 8, 2013, 12:33 p.m.: [20130109-IR-071130005ERA](#))

LSA Document #13-5(E)

Filed with Publisher: January 8, 2013, 12:33 p.m.

